

SUPERIOR COURT OF CALIFORNIA

County of San Diego

DATE: July 11, 2006

DEPT. 71

REPORTER A: Peter Stewart

CSR# 3184

PRESENT HON. RONALD S. PRAGER

REPORTER B:

CSR#

JUDGE

CLERK: K. Sandoval

BAILIFF: L. Wilkes

REPORTER'S ADDRESS: P.O. BOX 120128

SAN DIEGO, CA 92112-4104

MINUTE ORDER

IN RE: JCCP 4221/4224/4226&4428 – Natural Gas Anti-Trust Cases (Price Indexing)

The attached Court's ruling regarding **ZANABONI DEMURRER** applies to all cases listed as follows:

4221-00020	UYEDA vs CENTERPOINT ENERGY INC
4221-00021	BENSCHIEDT vs AEP ENERGY SERVICES INC
4221-00022	COUNTY OF SANTA CLARA vs SEMPRA ENERGY
4221-00023	CITY AND COUNTY OF SAN FRANCISCO vs SEMPRA ENERGY
4221-00024	COUNTY OF SAN DIEGO vs SEMPRA ENERGY
4221-00025	OLDER vs SEMPRA ENERGY
4221-00026	CITY OF SAN DIEGO vs SEMPRA ENERGY
4221-00027	TAMCO vs DYNEGY INC
4221-00028	A L GILBERT COMPANY vs CORAL ENERGY RESOURCES LP
4221-00029	OBERTI WHOLESALE FOOD INC vs ENCANA ENERGY SERVICES INC
4221-00030	BROWN vs ENCANA ENERGY SERVICES INC
4221-00031	LOIS THE PIE QUEEN vs ENCANA ENERGY SERVICES INC
4221-00032	VITTICE CORPORATION vs ENCANA CORPORATION
4221-00033	COUNTY OF ALAMEDA vs SEMPRA ENERGY
4221-00034	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA vs RELIANT ENERGY SERVICES INC
4221-00035	SCHOOL PROJECT FOR UTILITY RATE REDUCTION vs SEMPRA ENERGY
4221-00036	ASSOCIATION OF BAY AREA GOVERNMENTS vs SEMPRA ENERGY
4221-00037	OWENS-BROCKWAY GLASS CONTAINER INC vs SEMPRA ENERGY
4221-00038	TEAM DESIGN DBA TIMOTHY ENGELN INC vs RELIANT ENERGY INC
4221-00039	CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER vs RELIANT ENERGY SERVICES INC
4221-00040	SACRAMENTO MUNICIPAL UTILITY DISTRICT vs RELIANT ENERGY SERVICES INC
4221-00041	SHANGHAI 1930 RESTAURANT PARTNERS LP vs ENCANA ENERGY SERVICES INC
4221-00042	PODESTA vs ENCANA ENERGY SERVICES INC
4221-00043	NURSERYMAN'S EXCHANGE OF HALF MOON BAY vs SEMPRA ENERGY

4221-00044 COUNTY OF SAN MATEO vs SEMPRA ENERGY
4221-00045 BUSTAMANTE vs WILLIAMS ENERGY SERVICES
4221-00046 PABCO BUILDING PRODUCTS vs DYNEGY INC
4221-00047 BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY vs DYNEGY INC

10:33 a.m. This being the time previously set for **ORAL ARGUMENT IN THE ZANABONI DEMURRER** Court convenes with counsel as noted on exhibit "A" which is attached hereto and incorporated herein as though set forth in full. Seated at counsel table are: Barry Himmelstein of Lieff, Cabraser Heimann & Bernstein for the Plaintiffs, Nancy Fineman, Nanci Nishimura and Joseph Cotchett of Cotchett, Pitre, Simon & McCarthy who are personally present for the Independent Plaintiffs. Jack DiCanio of Skadden Arps Slate Meagher & Flow for Defendant Zanaboni, Christopher Healy of Luce Forward for Defendant Reliant Energy Services, Geoffrey Holtz of Bingham McCutchen for the Defendant.

Attorney DiCanio presents argument on behalf of the Defendant Zanaboni

10:38 a.m. Attorney Himmelstein presents argument on behalf of the Plaintiffs.

10:42 a.m. Attorney Fineman presents argument on behalf of the Independent Plaintiffs.

10:48 a.m. Attorney DiCanio presents argument on behalf of the Defendant.

10:55 a.m. Attorney Healy presents argument on behalf of Defendant Reliant Energy.

10:57 a.m. The Court **CONFIRMS** its tentative ruling on the July 10, 2006 Zanaboni Demurrer.

Attorney Cotchett requests a hearing date for disputed discovery issues. The Court sets the following date August 8, 2006 at 10:00 a.m. for the discovery issues, counsel to meet and confer no later than August 2, 2006. Counsel is to prepare a grid and regarding disputed issues, they are to e-file and email a copy to the Court by August 4, 2006.

Attorney Kleinman is to prepare an order.

11:45 a.m. Court is adjourned in this matter.

